REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1, 15, and 17-20. Claim 6 has been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-5, 7-15, and 17-20 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Objections

Claim 18 is objected to because of informalities. In response, the Applicant has amended claim 18 as suggested by the Examiner. The reconsideration of claim 18 is respectfully requested.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1, 2, 15, 17, 19 and 20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Liu et al. (2003/0095562) hereinafter referred to as Liu. The Applicant has amended claims 1, 15, 17, 19, and 20 to more clearly define the intended scope of the claimed invention and distinguish the present invention from Liu. The Examiner's consideration of the amended claims is respectfully requested.

Claims 1, 15, 17, 19 and 20 have been amended and now recite that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs. In addition, the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources. Support for this amendment is found on page 5, line 30 to page 6, line 2.

Liu discloses a method and system to allow dynamic bandwidth allocation within a network while maintaining a minimum bandwidth allocation to network interface units (NIUs). Liu performs this bandwidth allocation with a single network (see FIG. 1: network 12).

The Applicant's claimed invention, as recited in claims 1, 15, 17. 19 and 20 dynamically re-allocates a frequency spectrum to a plurality of radio networks. The

Examiner stated that NIUs equate to a plurality of networks. The Applicant respectfully disagrees. FIG. 1 and the disclosure of Liu clearly show only one network. The NIU are merely network interface units which provide an interface with the single network.

In addition, Liu does not disclose that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs. Liu also does not disclose that the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources. The Examiner stated that Liu disclosed permanently allocating GBA time slots, and if the NIU are not used, the assigned time slots are then reassigned. The Examiner further stated that this means the allocation scheme is based on spectrum credits relating to elementary units. However, the Applicant's invention provides an assignment of spectrum credits exchangeable into spectrum resources. Liu does not disclose these elements.

Therefore, Liu is missing several elements as recited in independent claims 1, 15, 17, 19 and 20. Claim 2 depends from amended claim 1 and recites further limitations in combination with the novel elements of claim 1. Therefore, the withdrawal of the rejection and the allowance of claims 1, 2, 15, 17, 19 and 20 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 3 and 5-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of Liu et al. (2001/0049284), hereinafter referred to as Liu '284. The Applicant has amended independent claim 1 to better define the intended scope of the claimed invention. In addition, claim 6 has been canceled. The Examiner's consideration of the amended claim is respectfully requested.

As discussed above, the Applicant has amended claim 1 which now recites that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs. In addition, the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources.

Liu does not disclose dynamically re-allocating a frequency spectrum to a plurality of radio networks. Liu merely discloses a bandwidth allocation within a single

network. Likewise, Liu '284 also does not teach or suggest dynamic allocation with a plurality of networks.

In addition, Liu does not disclose that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs or that the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources. The addition of Liu '284 does not provide these missing elements.

Claims 3, 5, and 7-9 depend from amended claim 1 and recites further limitations in combination with the novel elements of claim 1. Therefore, the withdrawal of the rejection and the allowance of claims 3, 5, and 7-9 is respectfully requested.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of Liu '284 and further in view of Shionozaki (6,038,214), hereinafter referred to as Shionozaki. The Applicant has amended independent claims 1 to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claim is respectfully requested.

Independent claim 1 has been amended and recites that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs. In addition, the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources.

Liu does not disclose dynamically re-allocating a frequency spectrum to a plurality of radio networks. Liu also does not disclose that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs or that the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources. The addition of Liu '284 and Shionozaki do not make up these missing elements.

Claim 4 depends from amended claim 1 and recites further limitations in combination with the novel elements of claim 1. Therefore, the withdrawal of the rejection and the allowance of claim 4 is respectfully requested.

Claims 10-14 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of Liu '284 and further in view of O'Neil (7,099,681), hereinafter referred to as O'Neil. The Applicant has amended independent claims 1 and 17 to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

Independent claims 1 and 17 have been amended and recite that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs. In addition, the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources.

As discussed above, Liu does not disclose dynamically re-allocating a frequency spectrum to a plurality of radio networks. Liu also does not disclose that the spectrum allocation scheme is based on spectrum credits assigned with the RN or group of RNs or that the spectrum credits are related to elementary spectrum units and are exchangeable into spectrum resources. The addition of Liu '284 and O'Neil do not provide these missing elements.

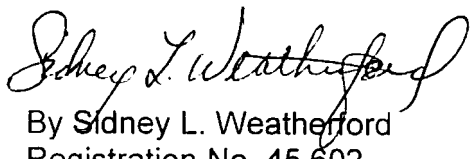
Claims 10-14 depend from amended claim 1 and recites further limitations in combination with the novel elements of claim 1. Claim 18 depends from amended claim 17 and recites further limitations in combination with the novel elements of claim 17. Therefore, the withdrawal of the rejection and the allowance of claims 10-14 and 18 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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Date: June 6, 2007

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